

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LAWRENCE J. KANSKY,

Plaintiff,

V.

**CITY OF WILKES-BARRE,
RICHARD HARDING, Individually and
JOSEPH COFFAY, Individually,**

Defendants.

No. 3:20-CV-0043

(JUDGE MANNION)

**DEFENDANTS' CONSENTED MOTION FOR ENLARGEMENT OF THE
WORD COUNT REQUIREMENT FOR THEIR BRIEF IN
SUPPORT OF THEIR MOTION TO DISMISS**

Defendants City of Wilkes-Barre, Richard Harding, and Joseph Coffay (collectively, “Defendants”), by and through their undersigned counsel, hereby move for a consented enlargement of the word count requirement, as contained in Local Rule 7.8(b), for their brief in support of their motion to dismiss Plaintiff’s complaint. In support of this motion, Defendants aver as follows:

1. Local Rule 7.8(b) provides that no brief may be filed in excess of fifteen (15) pages or five thousand (5,000) words without prior authorization of the Court.

2. Local Rule 7.8(b)(3) allows the Court to authorize extensions of page and word limits where a motion presents complex factual and/or legal issues warranting considerable analysis.

3. Plaintiff Lawrence Kansky's complaint contains five (5) counts: First Amendment retaliation (Count I); malicious prosecution under the Fourth Amendment and state law (Count II); stigma-plus (Count III); false light and defamation (Count IV); and First Amendment retaliation (Count V), (see Doc. 1, generally), and each of these claims warrant considerable factual and legal analysis.

4. As presently drafted, Defendants' brief in support of their motion to dismiss contains approximately 8,100 words.

5. In order to adequately discuss the applicable law and facts in support of their motion to dismiss, Defendants therefore respectfully request leave to file a brief in support of their motion to dismiss not to exceed 8,500 words.

5. Defendants have sought, and obtained, concurrence of Plaintiff's counsel to extend the word limit for their brief in support of their motion to dismiss. Plaintiff's concurrence is conditioned on the receipt of an identical enlargement, which Defendants do not oppose.

WHEREFORE, Defendants respectfully request that this Honorable Court grant Defendants' consented motion for enlargement of the word count requirement for Defendants' brief in support of their motion to dismiss Plaintiff's complaint, and that Defendant be permitted to file a brief in support of their motion to dismiss in excess of 5,000, but no more than 8,500 words. Defendants also

request that Plaintiff be permitted to file a brief in opposition to the motion to dismiss containing up to 8,500 words.

Respectfully submitted,

s/John G. Dean

John G. Dean

Mark W. Bufalino

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Attorneys for Defendants City of
Wilkes-Barre, Richard Harding and
Joseph Coffay

DATED: February 20, 2020

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CERTIFICATE OF SERVICE

I, John G. Dean, hereby certify that I have caused to be served this day a true and correct copy of Defendants' motion for enlargement of word count requirement for their brief in support of their motion to dismiss Plaintiff's complaint on all parties and counsel of record via electronic case filing and first class mail addressed as follows:

Cynthia L. Pollick, Esquire
363 Laurel Street
Pittston, PA 18640

s/John G. Dean

John G. Dean

DATED: February 20, 2020